



Docket No.: 28053/38258  
(PATENT)

1651  
Jelley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: ) I hereby certify that this paper is being  
Patricia L. CONWAY et al. ) deposited with the U.S. Postal Service  
Serial No.: 09/889,085 ) as First Class Mail in an envelope,  
Filed: January 9, 2002 ) postage prepaid, addressed to the Mail  
For: IMPROVED MICROBIAL ) Stop Amendment, Commissioner for  
PREPARATIONS ) Patents, P.O. Box 1450, Alexandria,  
Group Art Unit: 1651 ) VA 22313-1450 on this date:  
Examiner: Vera Afremova ) February 22, 2005  
                              ) \_\_\_\_\_  
                              ) Jeffrey S. Sharp  
                              ) Registration No. 31,879  
                              ) Attorney for Applicants

RESPONSE UNDER 37 C.F.R. §1.111

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action of August 24, 2004 in which all pending claims (41 and 76-153) remained rejected under 35 U.S.C. §§ 102(b), and 103(a), and under the judicially created doctrine of double patenting. Reconsideration of the rejection is solicited for the reasons set out below. This response is timely filed as a petition for a three-months extension of time to February 24, 2005 is submitted herewith.

A copy of the pending Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
13	2855
FEES CODE	VALUE FURNISHED
1202	750W
1201	400C

(15)  
(22)

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**CONCLUSION**

For all of the foregoing reasons, the applicants respectfully request that the rejections should now be withdrawn and an early notice of all pending claims is respectfully solicited.

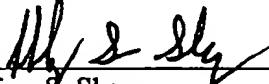
Should the Examiner wish to discuss any issues of form or substance in order to expedite allowance of the pending application, he is invited to contact the undersigned attorney at the number indicated below.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 13-2855. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
312-474-6300

By:

  
\_\_\_\_\_  
Jeffrey S. Sharp  
Registration No. 31,879  
Attorney for Applicants

February 22, 2005

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